

Practitioner's Docket No.: 210_271RCE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: David D. Kiefer et al.

Serial No.: 10/083,973

Art Unit: 1761

Filed: February 27, 2002

Examiner: Becker, Drew E.

For: MOBILE CONTAINER FOR PERISHABLE GOODS

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to the Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 12, 2004 under "EXPRESS MAIL" mailing label number EL963719420US.

Christine M. Holmes

Request for Continued Examination (RCE) Transmittal

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

NOTE: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendments(s).

a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____.

ii. ☐ Other _____.

b. ☒ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declarations(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Preliminary Amendment.

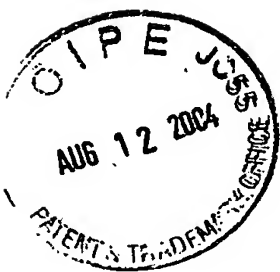
2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested

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08/13/2004 ANAB11

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under 37 C.F.R. § 1.103(c) for a period of ___ months. *(Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)*

b. ☐ Other _____.

3. Fees *The RCE fee under 37 C.F.R. § 1.17 (e) is required by 37 C.F.R. § 1.114 when the RCE is filed.*

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0289.

i. ☒ RCE fee required under 37 C.F.R. § 1.17 (e)

ii. ☐ Extension of time fee *(37 C.F.R. §§ 1.136 and 1.17)*

iii. ☐ Other

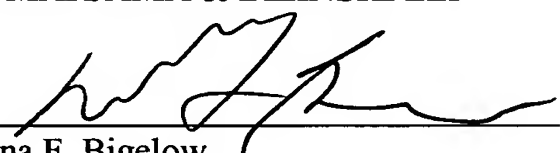
b. ☒ Check in the amount of \$770.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

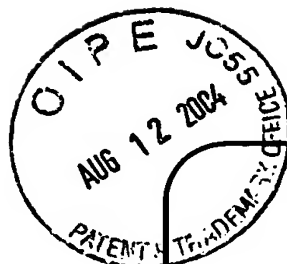
Date: August 12, 2004

By: 
Dana F. Bigelow
Reg. No. 26,441

DFB/cmh

Telephone: (315) 425-9000

Customer No.: 20874



88-13-04

FREE

PTO/SB/17 (10-03)
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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/03. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

Express Mail Label No. EL963719420US

TOTAL AMOUNT OF PAYMENT (\$) 770.00**Complete if Known**

Application Number	10/083,973
Filing Date	February 27, 2002
First Named Inventor	David d. Kiefer et al.
Examiner Name	Becker, Drew E.
Group Art Unit	1761
Attorney Docket No.	210_271RCE

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ MoneyOrder ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number

50-0289

Deposit
Account
Name

Wall Marjama & Bilinski LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
		1001	770	Utility filing fee
		1002	340	Design filing fee
		1003	530	Plant filing fee
		1004	770	Reissue filing fee
		1005	160	Provisional filing fee

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fees from below	Fee Paid
-20** =			
Independent Claims -3* =			
Multiple Dependent			

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
		1202	18	Claims in excess of 20
		1201	86	Independent claims in excess of 3
		1203	290	Multiple dependent claim, if not paid
		1204	86	** Reissue independent claims over original patent
		1205	18	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	770.00
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$770.00)

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Dana F. Bigelow	Registration No. (Attorney/Agent)	26,441	Telephone	(315) 425-9000
Signature				Date	August 12, 2004

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Christine M. Holmes

PRELIMINARY AMENDMENT

Sir:

Prior to examination, Applicant wishes to amend the subject application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.